



DEFENSE LOGISTICS AGENCY
DEFENSE ENERGY SUPPORT CENTER
8725 JOHN J. KINGMAN ROAD, SUITE 4950
FORT BELVOIR, VIRGINIA 22060-6222

IN REPLY
REFER TO DESC-CPA

SEP 19 2002

CONTRACTING INSTRUCTION (CI): 02-15
MEMORANDUM FOR CI DISTRIBUTION

SUBJECT: Individual Contracting Action Report (DD Form 350)

This revised guidance supersedes Contracting Instruction 01-17 in its entirety.

The instruction updates the instructions found in CI 01-17 for completing the DD Form 350, Individual Contracting Action Report effective October 1, 2001. The changes to Part 53 of the DEPI are attached with the revisions in track changes.

The following procedures are intended to provide personnel within the Commodity Business Units additional directions for executing the DD Form 350 and to provide local reporting requirements.

This CI is effective October 1, 2002, and expires upon inclusion in the DEPI. Point of contact is Susan Vaughn, extension 7365.

Kevin M. Ahern

KEVIN M. AHERN
Center Senior
Procurement Official

Attachment



PART 53

FORMS

SUBPART 53.1 - General

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PART 53

FORMS

SUBPART 53.1 - GENERAL

53.101 Requirements for use of forms.

DESC acquisition forms will be standardized and consolidated to the maximum extent. Minor variations in wording will be adjusted so that solicitation/contract provisions, supplements, amendments, form letters, post cards, automated data processing cards, and any other acquisition forms will apply to as many buying divisions as possible. All new, modified, or deleted procurement forms (including all of the above) will be submitted through DESC-CPA for approval when any unit performing any procurement functions is the originator or office of primary interest.

SUBPART 53.2 - PRESCRIPTION OF FORMS

53.204 Administrative matters.

53.204-70 DD Form 350, Individual Contracting Action Report.

Policy on the use of the DD Form 350 is in DFARS 204.670-2. This subsection contains instructions for completion of the DD Form 350. In addition, supplementary instructions may be found in Appendix C, Supplementary DD Form 350 Instructions and Domestic and Foreign Country Codes.

Pursuant to DEPI subpart 4.670-3(101)(c) there are two exceptions when a DD 350 or a 1057 will not be processed. The two exceptions are price changes resulting from economic price adjustments (EPAs) and dollar value changes due to increases or decreases in Federal, state, or local taxes, or environmental fees.

(101) *Top margin of the DD Form 350.* This is no longer used; the information contained there will now go on page 4 of the form (see below).

(a) *Part A of the DD Form 350.*

LINE NO.

A1 TYPE OF REPORT. Enter appropriate code, as follows:

Code "0" if this is an original report, i.e., if a DD Form 350 has not previously been submitted. Please note that this code shall be used if a contract is

terminated either for convenience or cause (see line B13D).

Code "1" if this action cancels a previously reported action in its entirety. If this is the case, complete lines A1, A3, and B1 only.

If you must correct a previously submitted report because a code was incorrect, two DD Form 350's must be submitted as follows:

(1) A copy of the previously submitted DD 350 containing the error to be corrected with line A1 coded as "1", Canceling.

(2) A new DD 350. Enter code "2", (Correcting) in line A1. Fill out only lines A3, and B1 with the same codes that were entered on the report being changed. Also enter the replacement codes in the line(s) being corrected.

A2 REPORT NUMBER. Leave blank. DESC-CPC will complete this line. If line A1 is coded 1 or 2 use the prior report number rather than a new one.

FOR DESC-CPC - Enter the six position local control number. DO NOT LEAVE BLANK OR ENTER ALL ZEROS.

A3 CONTRACTING OFFICE.

(i) LINE A3A, REPORTING AGENCY FIPS 95 CODE. Enter the four position code from Federal Information Processing Standards Publication (FIPS PUB) 95, Codes for the Identification of Federal and Federally Assisted Organizations that identify the reporting agency. FOR DESC, this code is "97AS." However, this line may now be left blank as DCARS fills it in automatically.

(ii) Line A3B, CONTRACTING OFFICE CODE. Enter the code assigned by the departmental data collection point in 204.670-1(c). This is "0600."

A4 NAME OF CONTRACTING OFFICE. On the first line enter "DESC" and the applicable buying division branch code (Example: DESC-BZD). On the second line enter the name of the contract specialist.

(b) *Part B of the DD Form 350.*

LINE NO.

B1 CONTRACT IDENTIFICATION INFORMATION.

B1A CONTRACT NUMBER. Enter the DoD contract number; do not use spaces, dashes or slashes. (Example: SP060099D0001). For orders under contracts awarded by other Federal agencies, the contract number of that Federal agency as it appears in the contractual instrument must be used. See line B2 to enter any local procurement identification numbers, e.g., Delivery Order Number.

- B1B ORIGIN OF CONTRACT. Under most circumstances, enter code A that designates DoD. For example, this code applies whenever the contract number begins with SP0600. Code B is for NASA and code C is for Non-DoD.
- B1C BUNDLED CONTRACT. Enter one of the following codes:
(A) Code Y – Yes, when the contract meets the definition of “bundled contract” at FAR 2.101 AND the contract value exceeds \$5 million.
(B) Code N – No, for all other cases.
- B1D BUNDLED CONTRACT EXCEPTION. If line B1C is coded Y, enter one of the following codes. If line B1C is coded N leave line B1D blank.
(A) Code A – Mission Critical. Enter code A if the agency has determined that the consolidation of requirements is critical to the agency’s mission, but the measurably substantial benefits do not meet the thresholds set forth in FAR 7.107 to determine that the consolidation is necessary and justified.
(B) Code B – OMB Circular A-76. Enter code B if the agency used the OMB Circular A-76 process to determine that the consolidation of requirements is necessary and justified rather than applying the substantial benefits analysis required by FAR 7.107.
(C) Code C – Other. Enter code C when codes A and B do not apply.
- B1E PERFORMANCE-BASED SERVICE CONTRACT. Enter one of the following:
(A) Code Y – Yes. Enter this code when ~~the contract value exceeds \$100,000~~ AND at least 80 percent of the contract value is for work that is performance based (~~see FAR Subpart 37.6~~).
(B) Code N – No. when code Y does not apply.
- B2 MODIFICATION, ORDER OR OTHER ID NUMBER. For a modification, enter the appropriate six position alphanumeric number (e.g., P00001). Always enter one alpha accompanied by five numerals. ~~For orders under basic ordering agreements, blanket purchase agreements or other federal agency contracts enter the appropriate call or order number.~~ Orders under DoD contracts have a four-position number (see 204.7004(d)). Orders under non-DoD contracts have a 13-position number with an F in the ninth position. Modifications to contracts and agreements have a six-position number (see 204.7004 ©). Modifications to orders under DoD contracts have a two-position modification numbering following the four-position order number (see 204.7004(e)). Modifications to orders under non-DoD contracts have a six-position modification number following the 13-position order number.
- B3 ACTION DATE. Enter the year, month, and day when a contract award is made or a mutually binding agreement is reached. (Enter four digits for the year, two for the month and two for the day. For example, if the action takes place on January 2, 2003, enter 20030102.) In the case of a modification extending the time period, use the date the modification is to be signed.

B4 COMPLETION DATE. Enter the year, month, and day of the last contract delivery date (if specific dates are specified) or the end of the ordering period as set forth in the contract. Enter four digits for the year, two for the month and two for the day (for example, enter January 2, 2003 as 20030102). In the case of a modification extending the time period, the new date should be used.

B5 CONTRACTOR IDENTIFICATION INFORMATION. Use the data that relates to the contractor whose name and address appear in contract award document or amendment.

(A) For 8 (a) contracts placed with the Small Business Administration use the data that relates to the company that will be performing the work.

(B) For Federal Schedule Orders use the data that applies to the contractor whose name appears on the schedule (NOT the data for the agent to whom orders may be sent).

B5A CONTRACTOR IDENTIFICATION NUMBER (DUNS). For Contract Reporting purposes use the 9-digit DUNS number. The DUNS number plus 4 is currently for contractor use only. (The DUNS number should be double-checked for accuracy)

B5B GOVERNMENT AGENCY. Enter code Y (Yes) when the contractor is a Federal, State or local government agency. If the government agency is an educational institution enter N (No) and in all other cases when code Y does not apply or a JWOD Participating Nonprofit Agency enter N (No) and in all other cases when Y does not apply.

B5C COMMERCIAL AND GOVERNMENT ENTITY (CAGE) CODE. Enter the five-position code for all contract actions. CAGE codes for companies that have previously done business with DESC can be viewed by using the menu-driven inquiry system by executing the Bidder's Master File address inquiry screen in M204. Codes for new contractors or contractors that have changed addresses, company name, had mergers, etc., shall be obtained directly from the Defense Logistics Information Service, Central Contractor Registration (DL~~S~~SIS-CCR)(at www.ccr2000.com.)

To obtain the North Atlantic Treaty Organization (NATO) Cage (NCAGE) code or address of foreign firms who have registered, go to www.ccr2000.com/cfm#for

(Note: Cage Codes are not the same as the DESC Bidder Code, see line G2).

For awards to CCC, enter the code that identifies the contractor establishment performing under the contract.

B5D CONTRACTOR NAME AND DIVISION NAME. Enter company name and if any the division name.

NOTE: If the contractor is "doing business as" a different company name, enter the contractor's name in this line and insert the "doing business as" name and address in line B5E.

When an individual's name is a part of the contractor's name, the last name should be shown first. For example, Michael A. Moore and Associates would be shown as Moore, Michael A. and Associates.

If the contractor's name has changed, or if the company has merged with another company, please furnish DESC-CPC with the former name and address. Annotate on note paper and staple to the DD Form 350. Do not annotate the DD Form 350 itself.

- B5E CONTRACTOR ADDRESS. Enter the contractor's address as stated in the offer and resultant contract. Include street address or P.O. Box, city or town, state or county, and the ZIP code, if applicable. Do not enter foreign postal codes.
- B5F TAXPAYER IDENTIFICATION NUMBER (TIN). Enter the Contractor's taxpayer identification number (TIN). This number may be found in Clause K88, TAXPAYER IDENTIFICATION, of the Offeror Submission Package. Policies and procedures for obtaining a TIN can be found in FAR Subpart 4.9. Exemptions for leaving this line blank: (i) A nonresident alien, foreign corporation or foreign partnership; (ii) an agency or instrumentality of a foreign government; or, (iii) an agency or instrumentality of the Federal Government.
- B5G PARENT TAXPAYER IDENTIFICATION NUMBER. Enter the TIN for the contractor's parent company (Common Parent.) A Common Parent is a corporate entity that owns or controls an affiliated group or corporation that files its Federal income tax returns on a consolidated basis, and of which the offeror is a member. If the contractor does not have a parent company or the parent company meets the exemption for Line B5F, leave line B5G blank.
- B5H PARENT NAME. Enter the parent name only if B5G is completed. Otherwise, leave blank.
- B6 PRINCIPAL PLACE OF PERFORMANCE. The principal place of performance to be coded in line B6A, B6B, and B6C refers to the prime contractor's final assembly point of a manufactured article, construction site, place of mining, or, for service contracts, the place where a service is performed, including military installations. If there is more than one location, enter the location with the largest dollar value.

If the product is purchased from a dealer, the principal place of performance shall be the dealer's location if he ships from stock, or the subcontractor's location if shipment is made from the subcontractor's plant.

If the principal place of performance is unknown, enter the home address of the contractor. However, if the contractor is a domestic concern and the entire contract will be performed outside the United States, enter the place of performance.

B6A CITY OR PLACE CODE. For places in the United States and outlying areas, enter the numeric place code from FIP PUB 55-DC3 Guideline: Codes for Named Populated Places, Primary Country Divisions, and other Locational Entities at - www.itl.nist.gov/fipspubs. Leave Line B6A blank for places outside the United States and outlying areas. Note: If the city or locality is not listed, enter the country code listed in FIPS PUB for the principal place of performance.

B6B STATE OR COUNTRY CODE. Enter the appropriate state code from FIPS 55-2 for place of performance, or enter the country code. (Lists of state codes and country codes may be found in Appendix C, paragraphs C-102 and C-103.)

NOTE: U. S. possessions use the special numbers listed in the listing of domestic codes in Appendix C, paragraph C-102.

B6C CITY OR PLACE AND STATE OR COUNTRY NAME. Enter the place of performance. If the same as B5E, enter the word "same." Do not leave blank.

B7 TYPE OF OBLIGATION. Enter the appropriate code. Use Code 1 for an obligation, use Code 2 for a deobligation, ~~and use Code 3 if the action does not obligate or deobligate funds~~ Do not use code 3. The intent is to report total contract value as an obligation at time of contract award, since the field offices do not generate DD 350s to capture these amounts.

B8 OBLIGATED OR DEOBLIGATED DOLLARS. Enter the net amount of funds (whole dollars only) obligated or deobligated by the action. ~~Enter zero if line B7 is coded 3.~~ If the contract is for one year only, enter total dollars for DESC-funded and service funded contracts. For multiyear awards, enter the total dollar amount both in this line and in line B11.

Exceptions: Multiyear aircraft refueling and storage and bulk fuels contracts Subject To Availability (STA) of fiscal year funds. In such cases, enter the available fiscal year dollars only. When the contract modification is issued to add the following fiscal year funds, the DD Form 350 will report those additional dollars at that time.

Note: If B7 is coded 2 for a deobligation, the dollars entered into B8 shall be shown in parenthesis.

B9 FOREIGN MILITARY SALE (FMS). If only a part of the contracting action is for FMS, that part shall be reported on one DD 350 and the other Non-FMS part on a second DD 350.

- (i) Code Y – Yes. Enter code Y when the action is under a foreign military sales arrangement, or under any other arrangement when a foreign country or international organization is bearing the cost of the acquisition.
- (ii) Code N – No. Enter code N when code Y does not apply.

B10 **MULTIYEAR CONTRACT.** Enter "Y" when the action is a multi-year contract. DO NOT report contracts containing options as multiyear unless the definition at FAR 17.103 applies to the contract. Otherwise, enter "N".

For modifications only: Code a modification under a multiyear contract as "N."

There are only ~~two~~ three exceptions to this rule, when this line shall be coded Y:
(1) When you are awarding new line items under a new solicitation; (2) Storage and along side aircraft refueling contracts; and, (3) multiyear bulk contracts.

B11 **TOTAL ESTIMATED CONTRACT VALUE.** Enter the estimated contract value (in whole dollars) only at the time of initial placement of the contract, including placement of an indefinite-delivery or multiyear contract. Include the total estimated value of orders and options anticipated to be placed over the life of the contract.

B12 **PRINCIPAL PRODUCT OR SERVICE.**

B12A **FEDERAL SUPPLY CLASS (FSC) OR SERVICE CODE.**

Enter the appropriate four-character code that best correlates to the items awarded. If more than one classification applies, enter the one that best identifies the produce or service representing the largest dollar value of the acquisition.

- 6830 Natural gas
- 6850 Miscellaneous chemicals (includes Fuel System Icing Inhibitor)
- 9110 Fuels, solid (coal)
- 9130 Liquid propellant and fuel, petroleum base (examples: Jet fuel, AvGas, MoGas, F76)
- 9135 Liquid Propellant Fuels - Chemical Base
- 9140 Fuel Oils (examples: kerosene, diesel fuel oil, crude oil, electricity)
- 9150 Oils - Greases, Cutting Lubes and Hydraulic (examples: Lubes)
- 9160 Miscellaneous waxes, oils, and fats
- H291 Testing
- M173 Operation and/or Maintenance of Government-owned facilities (GOCOs and Along-side Refueling)
- R219 Engineering Services for Real Property (GOCOs and Privatization Consultants)
- R499 ESPC projects

- S111 Utilities: Gas
- S112 Utilities: Electric service
- X173 Commercial storage services (COCOs)
- Z173 Repair/Maintenance of Real Property (GOCOs)

B12B DoD CLAIMANT PROGRAM CODE. Enter appropriate code from those listed below:

- A8A Petroleum products (includes FSII and lubes)
- A8B Other fuels and lubricants (coal, natural gas, and non-petroleum)
- S10 Services and Privatization
- C9E Electricity

NOTE: If a particular claimant program cannot be identified, enter code S10 for services or C9E for supplies and equipment.

B12C PROGRAM, SYSTEM OR EQUIPMENT CODE. Enter "000".

B12D NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM (NAICS) CODE. Enter appropriate code. If more than one code is applicable, enter the one that best identifies the product or service with the largest dollar value. Make sure the code has six digits. Codes in common use are:

	<u>NAICS CODE</u>
Bulk CBU	
Refined Product	324110 (mfr)
Lubes	324191 (mfr)
	422720 (dealer)
FSII	325998 (mfr)
	422690 (dealer)
Crude Oil	211111 (mfr)
DDF CBU	
PC&S	422720 (dealer)
	324110 (mfr)
Into-plane	422720 (dealer)
Bunkers	422720 (dealer)
Installation Energy CBU	
Coal	212113 (anthracite mfr)
	212111 (bituminous surface mfr)
	212112 (bituminous underground mfr)
	421520 (dealer)
Natural Gas	211111 (mfr)
Electricity	221111 (hydroelectric power generation)

221112 (fossil fuel electric power generation)
 221113 (nuclear electric power generation)
 221114 (other electric power generation)

ESPC	541330	(engineering services)
Privatization	221210	(natural gas distribution)
	221122	(electric power distribution)
	221310	(water supply systems)
	221320	(sewage treatment facilities)
	541330	(engineering services)

Missile Fuels CBU

Other Scientific & Technical Consulting Services	541690	(energy consulting services)
Industrial Gas Manufacturing	325120	(argon, helium, nitrogen, oxygen)

Facilities CBU

Environmental	541620	(environmental consulting services)
	562910	(environmental services i.e. remediation)
Storage	493190	(other warehousing and storage)
Along-side /refueling	541990	(technical services)
Lab Testing	541380	(testing laboratories)
AFDs	422710	(petroleum bulk stations)
Publishing Industries	511210	(software publishers)

Use the NAICS Code in effect at the time of award. These codes are in the ~~1997~~ 2002 NAICS Manual (<http://www.census.gov/pub/epcd/www/naics.html>).

B12E NAME OR DESCRIPTION. Enter the name or description of the commodity or service. If there are several items being awarded under this action, enter the name of the commodity with the largest dollar value. For example:

<u>Program</u>	<u>Name</u>
Bulk	Turbine Fuel, Aviation, Grade JP8

PC&S	#6 Fuel Oil
Into-plane	Jet A w/FSII
Bunkers	IFO or MGO
Coal	Coal, Bituminous
Natural Gas	Direct Supply Natural Gas
Electricity	Retail Open Access Electricity
Privatization	Management Consulting Services
	(Others TBD)
Facilities	COCO Storage GOCO Storage Environmental Lab Testing Alongside Aircraft Refueling
Missile Fuels	Chemical, gases, and special fuels

B12F EPA-DESIGNATED PRODUCTS (S). Enter one of the following codes:

Code A – EPA Products with Minimum Recovered Material Content. Enter code A if Environmental Protection Agency (EPA) – designated products were acquired and all contained the minimum recovered material content. Ref: EPA Comprehensive Procurement Guidelines program list at <http://www.epa.gov/cpg/>

Code B – FAR 23.405(c)(1) JUSTIFICATION. Enter code B if EPA-designated products were acquired without the required minimum recovered material content and a justification was completed based on inability to acquire the products competitively within a reasonable period of time.

Code C – FAR 23.405(c)(2) JUSTIFICATION. Enter code C if the EPA-designated products were acquired without the required minimum recovered material content and a justification was completed based on the inability to acquire products at a reasonable price.

Code D – FAR 23.405(c)(3) JUSTIFICATION. Enter code D if EPA-designated products were acquired without the required minimum recovered material content and a justification was completed based on inability to acquire the products to reasonable performance standards in the specifications.

Code E – Enter code E if “NO” EPA-Designated Products were Acquired.

B12G RECOVERED MATERIAL CLAUSES. If an EPA –designated product was acquired, i.e. When line B12F is coded A, B, C or D enter one of the following codes. Otherwise, leave this line blank.

Code A – FAR 52.223-4. Enter code A if the solicitation included the Recovered Material Certification provision. Required in solicitations that are for, or specify the use of recovered materials.

Code B – FAR 52.223-4 and FAR 52.223-9. Enter code B if the solicitation included the Recovered Material Certification provision and exceeded \$100,000 thereby requiring the Estimate of Percentage of Recovered Material Content clause for EPA-Designated Products.

B13 KIND OF CONTRACTING ACTION.

B13A CONTRACT OR ORDER.

If this action is an original contract action or order, make one selection from Codes 1 through 9. Use Code 9 when Simplified Acquisition Procedures (FAR Part 13) for acquisitions of \$100,000 or less, and the acquisition of commercial items exceeding the Simplified Acquisition Threshold but not exceeding \$5,000,000, including options in accordance with FAR 13.500. Use code 6 for orders from the Procurement List under Federal schedules. Please note that if this line is coded as 6 (Order/Call under Federal Schedule) you must not code any of Part D and if it is coded as 8 (Order from ~~Procurement List~~ UNICOR or JWOD) you must not code any of Parts C or D.

B13B TYPE OF INDEFINITE DELIVERY CONTRACT. When line B13A is coded 3 or B13A is coded 5, and the contract number has a "D" (e.g., SPO600-99-D-0001) enter the code that indicates the type of contract. Otherwise leave blank.

B13C MULTIPLE OR SINGLE AWARD INDEFINITE DELIVERY CONTRACT(S). If line B13B coded A, B or C complete Line B13C. Otherwise leave blank.

Enter Code "M" if more than one contract (multiple award) is being awarded for the same requirement. Enter Code "S" for single awards even if several awards were made under the same solicitation. Also, enter Code "S", Single Award, if the action is ~~a task or delivery order under~~ a single award indefinite-delivery contract.

B13D MODIFICATION.

If the action is a modification to an existing contract, code as follows:

Enter Code "A" if an action results from a new solicitation that is added by modification to an existing basic contract for administrative convenience.

Enter Code "B" if additional items or quantity are added by modification and Code "A" does not apply. Examples: addition of set-aside items, subsequent award of items under the same solicitation, a failed 8(a) reservation.

Enter Code "C" when the modification does not affect the scope of work but when it obligates or deobligates funds. (However, a DD 350 doesn't need to be submitted when the only change involves an increase or decrease in taxes.)

Enter Code "D" when reporting changes pursuant to the CHANGES clause. Use this code when changing an existing line item by decreasing quantity or adding a new line item to replace one already awarded.

Enter Code "E" (Termination for Default/Cause) or Enter Code "F" (Termination for Convenience), line A1 should be coded as "0."

Enter Code "G" for Contract Cancellations that are NOT classified as terminations. Example: an award made in error.

Enter Code "H" for exercise of an option.

Enter Code "J" if it is a Definitization action.

B13E **MULTIPLE AWARD CONTRACT FAIR OPPORTUNITY.** If the action is an order under a multiple award indefinite-delivery contract, i.e., line B13C is coded M, enter one of the following codes, otherwise leave blank.

Code A – Fair Opportunity Process. Enter code A if the delivery or task order was issued pursuant to process at FAR 16.505(b)(1) that permitted each contract awardee a fair opportunity to be considered.

Code B – Urgency. Enter code B if the agency's need is so urgent that providing a fair opportunity would result in unacceptable delays. (See FAR 16.505(b)(2)(i)).

Code C – One/Unique Source. Enter code C if only one contract awardee is capable of providing the supplies or services at the level or quality required because the supplies or services are unique or highly specialized. (See FAR 16.505(b)(2)(ii)).

Code D – Follow-on Contract. Enter code D if the order was issued on a sole source basis in the interest of economy and efficiency as a logical follow-on to an order already issued under the contract, provided that all awardees were given

a fair opportunity to be considered for the original order (See FAR 16.505(b)(2)(iii)).

Code E – Minimum Guarantee. Enter code E if it was necessary to place an order to satisfy a minimum amount guaranteed to the contractor. (See FAR 16.505(b)(2)(iv)).

B13F INDEFINITE-DELIVERY CONTRACT USE. ~~This line ONLY applies if line B13B is coded A, B, or C and the action is an original placement of an indefinite-delivery contract.~~ If the action is the initial award of an indefinite-deliver contract enter one of the following codes. The following codes which are used to specify those authorized to utilize the an indefinite-delivery contract: Code “A” – Government-Wide, Code “B” – DoD-Wide, Code “C” – DoD Department or Agency only and Code “D” – Contracting Office only. Otherwise leave blank.

B13G INDEFINITE-DELIVERY CONTRACT ORDERING PERIOD. ~~This line ONLY applies if line B13F is coded A, B, C, or D. Enter~~ If the action is the initial award of an indefinite-delivery contract and Line B13F is coded A, B, C, or D, enter the date the ordering period ends, e.g., enter January 2, 2003 as 20030102. Otherwise leave blank.

B14 CICA APPLICABILITY.

Enter Code A if the action resulted from a solicitation issued before April 1, 1985. This includes modifications within the original scope of work issued after that date. However, it does not include modifications issued after April 1, 1985 coded as A in B13D.

Enter Code B if the action resulted from a solicitation issued on or after April 1, 1985, unless Codes C or D are applicable.

Enter Code C if the action resulted from use of the procedures of FAR Part 13, including blanket purchase agreement orders with Federal Schedule Contracts, other than Subpart 13.5.

Enter Code D if the action resulted from use of the procedures of FAR Subpart 13.5.

B15 INFORMATION TECHNOLOGY PRODUCTS OR SERVICES. If the action is for Information Technology products or services, enter one of the following codes. Otherwise, leave blank. (The COMMERCIAL ITEM DEFINITION is in FAR 2.101)

Code A – Commercially Available Off-the-Shelf Item. Enter code A if the action is for an item of supply that meets the definition of commercial item, does not require any modification, and is available in the commercial marketplace.

Code B – Other Commercial Item of Supply. Enter code B if the action is for a commercial item, but requires minor modifications or is not yet available in the commercial marketplace, but will be available in time to meet the Government's needs.

Code C – Nondevelopmental Item Other than Commercial Item. Enter code C if the action is for an item of supply, other than a commercial item, that meets the definition of a nondevelopmental item.

Code D – Other Noncommercial Item of Supply. Enter code D if the action is for an item of supply that does not meet the definition of a commercial item or a nondevelopmental item..

Code E – Commercial Service. Enter code E if the action is for a service that meets the definition of a commercial item.

Code F – Noncommercial Service. Enter code F for all other services.

B16 CLINGER-COHEN ACT PLANNING COMPLIANCE. If the action is for information technology products or services, enter ~~Enter~~ one of the following codes, otherwise leave blank:

Code Y – Yes. Enter code Y if the action is for information technology products or services acquired in compliance with the planning requirements of section 5122 and 5123 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1422 and 1423)

Code N – No. Enter code N if code Y does not apply.

(c) *Part C of the DD Form 350.*

GENERAL REMARKS ON PART C:

Reprocurements of Undelivered Quantities Terminated for Cause. The coding of most lines will be the same as for other awards. However, for the coding of lines C1, C2, C3, C4, C8 and C9, see Appendix C, paragraph C-100.

Do not complete Part C if the action is with a government agency, i.e., Line B5B (Government Agency) is coded Y (Yes). If the action is an order under a Federal schedule, i.e., Line B13A is coded 6, complete only the following lines in Part C: Line C3, and Lines C13A and C13B (when applicable).

LINE NO.

- C1 SYNOPSIS. Enter appropriate code.
- C2 REASON NOT SYNOPSISIZED. If item C1 is coded "N," enter appropriate code. Code B is for Single, Government wide point of entry. Code C is when an action was not synopsisized because the acquisition was subject to the SBA/OFPP Pilot Program that allows for waiver of synopsis requirements for acquisitions of services between \$25,000 and \$100,000 from small businesses under set-asides (OFPP memorandum dated September 27, 2001, subject: Extension of the Pilot Program on Acquisition is Subject to the Small Business Competitiveness Demonstration Program.
- C3 EXTENT COMPETED. Enter appropriate code.

Enter Code A, Competed, if any of the following apply:

Full and open competition.

Full and open competition after exclusion of sources per FAR 6.2 (including set-aside for small business or HUBZone small business competitive 8(a) awards).

Statutory authority for other than full and open competition (FAR 6.3) and more than one offer was received.

Contract action resulting from a solicitation issued before April 1, 1985 that used formal advertising, or was negotiated competitively.

Action under a Federal Schedule contract.

Simplified acquisition procedures were used and competition was obtained.

Enter Code B, Not Available for Competition, if any of the following enumerated circumstances apply. (NOTE: Do not use this code under any other circumstances.)

Utilities or utility systems (except long distance telecommunications) where only one supplier can furnish the service.

Brand name commercial products for authorized resale.

Procurements authorized or required by statute to be awarded to a designated source.

8(a) awards for only one source.

International agreements, and FMS when the acquisition is to be reimbursed by a foreign country that requires that the product or services be obtained from a particular firm.

Other contract actions where the Deputy Assistant Secretary of Defense, Procurement, has determined that there is no opportunity for competition.

Enter Code C, Follow-on to Competed Action, when the action involves an acquisition placed with a particular contractor to continue or augment a specific competed program when such placement was necessitated by prior acquisition decisions.

Enter Code D, Not Competed, when codes A, B, or C do not apply.

C4 SEA TRANSPORTATION. ~~Enter appropriate code, as follows:~~ When the origin of the contract is DoD, i.e., Line B1B is coded A, enter one of the following codes, otherwise leave blank:

Enter Code Y, Yes, if the contractor anticipates that any of the supplies will be transported by sea.

Enter Code N, No, if the contractor does not anticipate that any of the supplies will be transported by sea.

Enter Code U, Unknown – No Response or Provision Not Included in Solicitation.

C5 TYPE OF CONTRACT. Enter appropriate code.

C6 NUMBER OF OFFERORS SOLICITED. Enter the code that describes the number of offerors solicited. (Base the code on the solicitation, not on individual line items.) ~~If B1B is coded either B or C, leave C6 blank~~ If the action is an order or modification of an order under a non-DoD indefinite-delivery contract, i.e., Line B1B is coded B or C and Line B13A is coded 5, leave Line C6 blank. If the action is an order or modification of an order under a Federal Schedule, i.e., Line B13A is coded 6, leave Line C6 blank.

C7 NUMBER OF OFFERS RECEIVED. For the purpose of completing this line, only an offer from a responsible contractor capable of satisfying the Government's requirements shall be counted as an offer. (Base the code on the

solicitation, not on individual line items.) ~~Leave blank if B13A is coded 6~~ If the action is an order under a Federal Schedule, i.e., Line B13A is coded 6, or if the original contract resulted from a solicitation issued before April 1, 1985, leave C7 blank.

Enter offers as 001-999.

C8 SOLICITATION PROCEDURES.

Enter appropriate code. Codes A through K designate the full and open competition requirements of FAR Part 6. DESC regularly uses A, B, K, and N. Code F is used only if B13A is coded as Order/~~Call~~ under Federal Schedule.

Codes A and B are self-explanatory for most circumstances. However, please note that if a solicitation contains a set-aside, but the award being coded is the unrestricted portion, code as A or B. If the award being coded is the set-aside, code as K.

Code K, Set-aside, is to be used when the award covers a set-aside. This includes competitive 8(a) awards but not noncompetitive 8(a) awards (to date, DESC has no competitive 8(a)s but may in the future). It also includes SDB set-asides, small business set-asides, set-asides for HubZone small business concerns, set-asides for very small business concerns, and set-asides for emerging small business concerns (see FAR 19.1006(c)).

Code N, Other than Full and Open Competition, designates an existing statutory exception to full and open competition (e.g., noncompetitive 8(a) awards). If code N is used, you must complete line C9.

Modifications within the scope of a contract shall be reported the same as the initial contract.

If B13A is coded 6, Order/~~Call~~ under a Federal Schedule, or 9, Purchase using Simplified Acquisition Procedures, leave blank.

C9 AUTHORITY FOR OTHER THAN FULL AND OPEN COMPETITION.

~~When line C8 is coded N, enter the appropriate code in this line.~~ If the action resulted from use of other than full and open competition, i.e., Line C8 is coded N. Otherwise, leave Line C9 blank. Explanation of the authorities is set forth in FAR 6.302. For 8(a) awards, enter code 5A.

C10 SUBJECT TO LABOR STANDARDS STATUTES. Enter code A if subject to Walsh-Healey (manufacturer or dealer). Code C if subject to the Service Contract Act. Code Z is used for foreign firms, or domestic firms performing outside the United States. Commercial items are not subject to Walsh-Healey and should be coded as Z. ~~If B13A is coded 6, leave C10 blank.~~ -When the

action is an order or modification of an order under a Federal schedule, i.e., Line B13A is coded 6, leave Line C10 blank.

- C11 COST OR PRICING DATA. ~~Enter appropriate code, as follows:~~ Enter the following appropriate codes when the origin of the contract is DoD, i.e., Line B1B is coded A.- Otherwise, leave Line C11 blank.

Enter Code Y if certified Cost or Pricing (C/P) data were obtained, the Certificate of Current C/P Data was received and is filed under Tab 25 in the contract file, and price was based on the data.

Enter Code N if certified C/P data was not obtained because data was not required or an exemption was granted.

Enter W , waived by the head of the contracting activity.

- C12 CONTRACT FINANCING.

~~Enter appropriate code from DD 350.~~ When the origin of the contract is DoD, i.e., line B1B is coded A, enter the appropriate code from DD 350. When the origin of the contract is not DoD, leave C12 blank.

Note: If either clause I51 or I51.01 (FAR 52.232-16 and Alt I) is contained in the contract allowing Progress Payments, enter code A. Code B is reserved. Code C is for Percentage of Completion Progress Payments; Code D is Unusual Progress Payments or Advance Payments. Code Z is used when the others are not applicable.

- C13 FOREIGN TRADE DATA.

- C13A PLACE OF MANUFACTURE (OF FOREIGN PRODUCT).

If the product is totally domestic in origin and manufacture, leave blank.

~~Otherwise, enter the appropriate code as follows:~~ If the award is for a foreign end product or a service provided by a foreign concern under a DoD contract or a Federal Schedule, enter the appropriate code as follows:

Enter Code A if the product is manufactured in the U. S. (including Outlying Areas except Palau) and more than 50% of the cost of all its components is not manufactured in the U. S., or, for services, if they were performed in the U.S. by a foreign firm.

Enter Code B if the product is manufactured, mined, or grown outside the U. S., or the service is performed outside the U.S. by a foreign concern.

- C13B COUNTRY OF ORIGIN CODE. If line C13A is blank, leave this block blank also. If C13A is coded A or B, enter the code of the country where the foreign product is coming from or where the foreign company providing the services is located. If more than one foreign country is involved, enter the code of the predominant foreign country based on dollar value. (For country codes, see Appendix C, paragraph C-103.)
- C14 COMMERCIAL ITEMS. Enter Y if the contract contains FAR 52.212-4, either the FAR clause as written or a specially tailored version of the clause. Otherwise, enter N.

(d) *Part D of the DD Form 350.*

GENERAL REMARKS ON PART D:

- (1) When filling out lines in Part D for an award, code the line based on the specific award being coded, not on the characteristics of the solicitation.
- (2) When coding a modification, if the original award was coded on a previous edition of the DD Form 350, and if the code representing the original action is no longer available, the definition has changed, or a data element has been added, enter the most accurate code available.
- (3) Do not complete Part D if the action is with a government agency, i.e., Line B5B is coded Y; or an order under a Federal schedule, i.e., Line B13A is coded 6. Use the codes on Lines B13A and B13D to determine whether the codes in Part D will describe the current action or the original contract. Code Part D to describe the current action when the action is a new requirement, i.e., Line B13A is coded 1, 3, 4, 7, or 9 and Line B13D is coded A or is blank or the action is an order from the Schedule or the Procurement List, i.e., Line B13A is coded 8 and Line B13D is coded A or is blank.

LINE NO.

D1 TYPE OF CONTRACTOR. ~~Enter appropriate code.~~

~~Code L applies to foreign firms, the Canadian Commercial Corporation, or non-U.S. chartered nonprofit institutions. Please note that a company incorporated or chartered in the U.S. is not coded as L even if its parent company is a foreign concern.~~

~~Code M refers to a domestic large or small business concern whose place of performance (line B6C) is outside the U. S. and its Outlying Areas as defined in FIPS 55-2.~~

~~—— If this line is coded as A, Small Disadvantaged Business (SDB) Performing in the U. S., you must submit a Premium Paid report (Small Disadvantaged Business Dollars Report). DESC-DU keeps the following forms available and updated on Form Flow: See DESC 12.34(a) thru (c).~~

D1A TYPE OF ENTITY. Enter the appropriate code. Code L applies to foreign firms, the Canadian Commercial Corporation, or non-U.S. chartered nonprofit institutions. Please note that a company incorporated or chartered in the U.S. is not coded as L even if its parent company is a foreign concern.

Code M refers to a domestic large or small business concern whose place of performance (line B6C) is outside the U.S. and its Outlying Areas as defined in FIPS 55-2.

If this line is coded as A, Small Disadvantaged Business (SDB) Performing in the U.S., you must submit a Premium Paid report (Small Disadvantaged Business Dollars Report). DESC-DU keeps the following forms available and updated on Form Flow: See DESC 12.34(a) thru (c).

~~Note changes as follows.~~

Historically Black College or University is ~~now~~ coded as T, while Minority Institution (MI) is now coded as U as defined at 252.226-7000 and if the place of performance is within the United States and outlying areas. Additionally, even if the entity is a foreign concern doing business overseas, the rest of D1 lines must be completed.

D1B WOMEN-OWNED BUSINESS. Enter one of the following codes when line D1A is coded A or B:

(1) Code Y – Yes. Enter Code Y if the contractor represented that it is a women-owned business in response to FAR 52.204-5, 52.212-3(c), or 52.219-1(b).

(2) Code N – No. Enter Code N if the contractor's response to these three FAR sites indicates that it is not a women-owned small or small disadvantaged business.

(3) Code U – Uncertified. Enter code U if the information is not available because the contractor did not complete the representation in these three FAR sites.

D1C HUBZONE REPRESENTATION. Enter Y, Yes, if the contractor represented that it is a HUBZone small business concern at the time of contract award (see FAR 19.1303). Enter N, No, if code Y does not apply. (Leave D1C blank unless Line D1A is coded A or B.)

NOTE: When coding an award to a HUBZone, you must also submit a HUBZone PEP Report, available in Form Flow as DESC 19.34(b), and 19.34(c).

D1D ETHNIC GROUP.

(1) Complete line D1D if the action is with a small disadvantaged business and the origin of the contract is DoD, i.e., Line B1B is coded A. Otherwise, leave line D1D blank.

(2) Enter the code from the following list that corresponds to the ethnic group that the contractor marked in the solicitation provision at FAR 52.219-1, Small Business Program Representations, or FAR 52.212-3(c).

- (i) Code A – Asian-Indian American
- (ii) Code B – Asian-Pacific American
- (iii) Code C – Black American
- (iv) Code D – Hispanic American
- (v) Code E – Native American
- (vi) Code F – Other SDB Certified or Determined by SBA
- (vii) Code Z – No Representation

D1E VETERAN-OWNED SMALL BUSINESS. Enter one of the following codes if the contractor is a veteran-owned small business. Otherwise, leave line D1E blank.

(1) Code A – Service-Disabled Veteran. Enter code A if the contractor represented that it is a service-disabled veteran-owned small business.

(2) Code B – Other Veteran. Enter code B if the contractor represented that it is a veteran-owned small business, other than a service-disabled veteran-owned small business.

D2 REASON NOT AWARDED TO SMALL DISADVANTAGED BUSINESS. Enter appropriate code when the contractor is a small business (other than a small disadvantaged business) or a large business performing in the United States, i.e., when D1A is coded B or C. Otherwise leave Line D2 blank. **NOTE:** Code C includes all small disadvantaged businesses that were solicited but did not submit an offer, or its offer was not sufficient to cover the total quantity requirement so it received a separate award for the quantity offered. Code Z when an SDB did not receive the award for any other reason or when the action is an order or modification of an order under a non-DoD contract, i.e., Line B1B is coded B or C and Line B13A is coded 5.

D3 REASON NOT AWARDED TO SMALL BUSINESS. Enter the appropriate code when the contractor is a large business performing in the United States, i.e., Line D1A is coded C. Otherwise, leave blank.

Code C includes a small business whose offer did not cover the total requirement but who received an award for the offered/bid portion.

Code D includes small business not willing to accept award of a set-aside quantity at the Government's offered price.

Enter Code Z when a small business did not receive the award for any other reason or when the action is an order or modification of an order under a non-DoD contract, i.e., Line B1B is coded B or C and Line 13A is coded 5.

D4A TYPE OF SMALL BUSINESS SET-ASIDE. Enter appropriate code.

When coding both a partial set-aside and a non set-aside from the same solicitation, two DD Forms 350 must be submitted. See SPECIAL NOTE below for details.

NOTE ON CONTRACTS OR MODIFICATIONS THAT CONTAIN BOTH A SET-ASIDE AND A NON SET-ASIDE ON THE SAME AWARD DOCUMENT. In such cases, two DD Forms 350 should be used when both set aside and non set aside items are awarded to the same contractor.

- (1) For a basic contract document that contains a set aside, code the DD 350 for the non-set aside leaving this block blank. Code the DD 350 for the set aside with a number P00000 in this block.
- (2) For a modification that itself contains both a set aside and non set aside, code the non set aside as you would normally (for example, P00005) but code the set aside by substituting an alpha for the last zero before the modification number (for example, P000A5.)

Enter A for large or small business in either of the following situations:

- (1) The solicitation was unrestricted, or
- (2) The solicitation includes a partial small business set-aside, but you are coding the non set-aside portion.

Enter B for total small business set-aside.

Enter C if the solicitation includes a partial small business set-aside and award is made to a small business under the set-aside portion.

Code D – Section 8(a) Set-Aside or Sole Source. Enter code D if the contract was awarded to –

- (i) The Small Business Administration under section 8(a) of the Small Business Act (see FAR Subpart 19.8); or
- (ii) An 8(a) contractor under the direct award procedures at 219.811.

Enter E for total SDB set-asides and complete line D4B, below. Do not code 8(a) awards as set-asides in this line.

Code F – HBCU or MI – Total Set-Aside for HBCU or MI (see 226.7003).

Code G – HBCU or MI – Partial Set-Aside for HBCU or MI under a broad agency announcement (see 235.016).

Code H is for Very Small Business set-asides. (See FAR Subpart 19.9.)

Code J shall not be used. It is to be used only for the Small Business Competitiveness Demonstration Program, which does not apply to DESC.

Code K – HUBZone Set-Aside or Sole Source.

Code L – Combination HUBZone and 8(a).

D4B TYPE OF PREFERENCE. Enter appropriate code.

Code A shall be entered if no preference was given.

Code B – if the action was **unrestricted** but an SDB received an award as a result of a price evaluation adjustment (see FAR Subpart 19.11).

Code C – Leave blank.

Code D – HUBZone Price Evaluation Preference. Enter code D if the contractor received the award as a result of a HUBZone price evaluation preference (see FAR 19.1307).

Code E – HUBZone Price Evaluation Preference and SDB Price Evaluation Adjustment. Enter code E if the contractor received the award as a result of both a HUBZone price evaluation preference and an SDB price evaluation adjustment (see FAR 19.1307).

D4C PREMIUM PERCENT. ~~If the solicitation has no set aside or preference for SDB, HBCU, MI or HUBZone, leave blank. Otherwise, code as follows:~~

~~Enter a premium percentage if line D4B is coded B, D, or E. Round off the percentage to the nearest tenth and enter as a three digit number (for example, 7.55% shall be entered as 076).~~

~~Enter 000 if the solicitation contained a set aside or preference for SDB, HUBZone, HBCU or MI, but the contract action did not result in the payment of a premium.~~

If the solicitation has no set-aside or preference for SDB, HBCU, MI or SUBZone, leave blank. Otherwise, code as follows:

Enter a premium percentage if ine D4B is coded B, D, or E. Round off the Percentage to the nearest tenth and enter as a three-digit number (for example, 7.55% shall be entered as 076).

Enter 000 if the solicitation contained a set-aside or preference for SDB, HUBzone or MI, but the contract action did not result in the payment of a premium.

Modifications/Orders: Enter the same percentage as the original contract, unless you are adding additional work.

D5 -D6 RESERVED

D7 SMALL BUSINESS INNOVATION RESEARCH (SBIR) PROGRAM. Always enter code A (not a SBIR Program Phase I, II, or III). No other code applies to DESC.

D8 SUBCONTRACTING PLAN - SB, SDB OR HBCU/MI. Enter appropriate code.

Enter code A if no subcontracting possibilities exist.

Enter code B if plan is not required (for example, award is less than \$500,000; award is made to a foreign firm). If D1 is coded A, B, L or M, enter this code.

Enter code C if a subcontracting plan was required and incentive provisions (per FAR 19.708(c)) were not included.

Enter code D if a subcontracting plan was required and incentive provisions were included (FAR 19.708(c) and DFARS 219.708(c)(1).

D9 SMALL BUSINESS COMPETITIVENESS DEMONSTRATION PROGRAM. Code N for all actions.

D10 SIZE OF SMALL BUSINESS. Leave blank.

D11 EMERGING SMALL BUSINESS. Leave blank.

(e) *Part E of the DD Form 350.*

LINE NO.

E1 CONTINGENCY, HUMANITARIAN, OR PEACEKEEPING OPERATION.

(i) Enter code Y in line E1 if the contracting action exceeds \$200,000 and is in support of:

(A) A contingency operation as defined in 10 U.S.C. 101(a)(13); or

(B) A humanitarian or peacekeeping operation as defined in 10 U.S.C. 2302(8)

Note: Consult with Legal Office concerning legitimacy regarding contingency/humanitarian operations.

(ii) Otherwise, leave line E1 blank.

E2 COST ACCOUNTING STANDARDS CLAUSE.

Enter code Y in line E2 if the contract includes a Cost Accounting Standards clause (see FAR Part 30.) Otherwise, leave line E2 blank.

E3 ~~NON-DoD~~ REQUESTING AGENCY CODE (FIPS 95). If making a purchase on behalf of a non-DoD agency, enter the four-position code from FIPS PUB 95 that identifies by the location (city/state) of the non-DoD agency. If making a purchase for another DoD department or agency, enter 2100 for Army, 1700 for Navy, 5700 for Air Force, 97AS for DLA, 96CE for USACE, 9763 for DCMA and 9700 for all other defense agencies. Otherwise, leave E3 blank.

E4 REQUESTING ACTIVITY CODE Leave line E4 blank.

E5 NUMBER OF ACTIONS. Leave E5 blank.

E6 PAYMENT BY GOVERNMENT PURCHASE CARD. If payment is to be made through use of the Governmentwide purchase card, enter Y on Line E6. Otherwise, leave Line E6 blank.

(f) *Part F of the DD Form 350.*

LINE NO.

F1 NAME OF CONTRACTING OFFICER OR REPRESENTATIVE. Enter printed name (last, first, MI) of the contracting officer.

F2 SIGNATURE. Self-explanatory.

F3 TELEPHONE NUMBER. Self-explanatory.

F4 DATE. Enter date (year, month, day) that the DD 350 report is submitted. This date is the date the DD Form 350 is signed by the contracting officer, preferably the date of award or no more than three days thereafter. Enter four digits for the year, two for the month and two for the day. For example, enter November 22, 2004 as 20041122.

(g) *Part G of the DD Form 350*

– Unique DESC Reporting Requirements

LINE NUMBER:

G1 IFB/RFP Number: or Leave blank for ESPCs (check N/A block)

G2 Bidder Code: Leave blank for ESPCs

G3 Purchase Program Number

G4 Leave blank

G5 a. Trade Agreements Act applicable:– Yes (Y) or No (N)
b. Waiver for overseas requirements: Yes(Y) of No (N)

G6 National Stock Number

53.204-71 Instructions for completion of the DD Form 1057.

(101) From the short-cut icon entitled “1057 Application” for the DESC local application of the DD Form 1057, fill out items ~~B1a~~ A4 through E1 as appropriate. Fields A4 (Name of Contracting), B2 (Modification, Order, or other ID Number), B6a (City or Place Code), B6C (State or Country Name) and C8 (Solicitation Procedures) have been added. When completed: (1) “save” the information; (2) “print” two copies; and (3) press “export”. See DEPI 4.670-3(b) for distribution instructions. Supplementary instructions and domestic and foreign country codes are found in Appendix C.

Field D1b (Women-Owned) is now a drop-down field, as opposed to Yes/No radio buttons.

The dollar fields on the forms and reports no longer display cents. If cents are entered on the forms, the dollar value is rounded accordingly.

Next to the Contract Number field there is a set of radio buttons labeled Ft. Belvoir DODAAC and Other. If Ft. Belvoir DODAAC is selected, the user must enter the contract number in the form SP0600YYLDDDD (PDDDD) where YY = two-digit year.

L = letter, and DDDD = four digit number. The last five characters in parenthesis are used to indicate a contract modification and are optional.

SUBPART 53.3 - ILLUSTRATIONS OF FORMS

NOTE: Illustrations of forms will be issued at a later date.